

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LISA LIBERI, et al,

Plaintiffs,

vs.

Case No.: 09-cv-01898-ECR

ORLY TAITZ, et al,

Defendants.

ORDER

THIS CAUSE came before the United States District Court Judge, Honorable Eduardo C. Robreno on Defendant's, Orly Taitz a/k/a Dr. Orly Taitz a/k/a Law Offices of Orly Taitz a/k/a www.orlytaitzesq.com a/k/a www.repubx.com a/k/a Orly Taitz, Inc., and Defend our Freedoms Foundation, Inc., Motion to Dismiss, Docket entry 35 and duplicate filing as Docket entry 53. Having reviewed the Motions and Plaintiffs' Response in Opposition to said Motions and for good cause shown, it is hereby

ORDERED that Defendant's, Orly Taitz, et al. and Defend our Freedoms Foundation, Inc., Motion to Dismiss, Docket entry 35 and duplicate Motion to Dismiss, Docket entry 53 are **DENIED**.

IT IS SO ORDERED

Dated: June _____, 2009

Hon. Eduardo C. Robreno
United States District Court Judge
For the Eastern District of PA

Law Offices of:
Philip J. Berg, Esquire
555 Andorra Glen Court, Suite 12
Lafayette Hill, PA 19444-2531
Identification No. 09867
(610) 825-3134

Attorney for Plaintiffs

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LISA LIBERI, et al,

Plaintiffs,

vs.

Case No.: 09-cv-01898-ECR

ORLY TAITZ, et al,

Defendants.

**PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANT'S,
ORLY TAITZ, et al and DEFEND OUR FREEDOMS FOUNDATION, INC.
MOTION TO DISMISS; OBJECTIONS THERETO AND MOTION TO STRIKE**

Plaintiffs' Lisa Liberi [hereinafter "Liberi"]; Philip J. Berg, Esquire [hereinafter "Berg"], the Law Offices of Philip J. Berg; Evelyn Adams a/k/a Momma E [hereinafter "Adams"]; Lisa Ostella [hereinafter "Ostella"]; and Go Excel Global by and through their undersigned counsel, Philip J. Berg, Esquire files the within Response in Opposition to Defendant's, Orly Taitz a/k/a Dr. Orly Taitz a/k/a Law Offices of Orly Taitz a/k/a www.orlytaitzesq.com a/k/a www.repubx.com a/k/a Orly Taitz, Inc. [hereinafter "Taitz"] and Defend our Freedoms Foundation, Inc. [hereinafter "DOFF"] Motion to Dismiss filed on May 28, 2009 as Docket entry number 35 and Defendant's duplicate filing on June 9, 2009 as Docket entry number 53 on the following grounds:

- Taitz and DOFF's Motion is an improper Motion. Taitz and DOFF fail to support their Motion to Dismiss with any type of Statute or supporting Law. Taitz and DOFF have not given any type of defense or raised any type of Affirmative Defenses, which they have now waived. Despite this, Plaintiffs will assume Taitz and DOFF are filing said Motion pursuant to Federal Rules of Civil Procedure, Rule 12;
- Taitz and DOFF's Motion fails to give any good cause for granting the requested relief;
- This Court has subject matter Jurisdiction pursuant to Diversity Jurisdiction pursuant to 28 U.S.C. §1332, and Federal Question pursuant to 28 U.S.C. §1331 as outlined in Plaintiffs' Complaint;
- Contrary to Taitz's belief, Subject Matter Jurisdiction and Venue are two [2] separate things. Subject Matter Jurisdiction refers to a Court's power to decide a particular kind of controversy, whereas Venue designates the place where a case should be heard;
- Taitz and DOFF waived their right to raise the issue of "Venue" when they failed to timely file their Answer to Plaintiffs' Complaint and Default was Entered and the Request for the Entry of Judgment by Default prior to the filing of Taitz and DOFF's Motion to Dismiss and Answer;
- Taitz and DOFF's Motion to Dismiss should be completely stricken as it is not proper; it fails to address any claims in Plaintiffs' Complaint and is nothing more than immaterial, impertinent, and scandalous statements and material and is completely impertinent to the within action; conclusions of law; hearsay statements; hearsay

documents and fails to give any type of legally sufficient defense; Taitz only filed this nonsense to prejudice the Plaintiffs;

- So the Court is aware, Taitz and DOFF filed their Motion to Dismiss on May 28, 2009 which appears on the Docket as entry number 35 and then filed an exact duplicate Motion to Dismiss filed with the Court June 9, 2009 and appears as Docket entry number 53;
- Venue is proper in this forum pursuant to 28 U.S.C. §1391(a)(2) and 28 U.S.C. §1391(a)(3);
- This Court has general and specific personal jurisdiction over Taitz and DOFF; and
- Taitz and DOFF have waived objections to Venue and personal jurisdiction by failing to Answer Plaintiffs' Complaint prior to the entry of Default and prior to the filing of the Request for Entry of Judgment by Default.

Respectfully submitted,

Dated: June 11, 2009

s/Philip J. Berg

Philip J. Berg, Esquire
Attorney for Plaintiffs'

Law Offices of:
Philip J. Berg, Esquire
555 Andorra Glen Court, Suite 12
Lafayette Hill, PA 19444-2531
Identification No. 09867
(610) 825-3134

Attorney for Plaintiffs

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LISA LIBERI, et al,

Plaintiffs,

vs.

Case No.: 09-cv-01898-ECR

ORLY TAITZ, et al,

Defendants.

**MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFFS' RESPONSE
IN OPPOSITION TO DEFENDANT'S, TAITZ AND DOFF'S MOTION TO DISMISS;
OBJECTIONS THERETO and MOTION TO STRIKE**

ARGUMENT

I. STATEMENT OF FACTS:

As better outlined in Plaintiffs' Complaint, Berg filed the first action questioning President Obama's citizenship and Constitutional qualifications to hold the Office of President of the United States. Taitz appeared in or about November 2008 regarding this issue by filing a lawsuit. Taitz through DOFF made threats that she was going to bring Berg down and in order to do so, she would destroy his Assistant, Liberi and take her out. What Taitz true motive is, is unknown to the Plaintiffs'. Taitz has verbally gone after Danny Bickle, Clerk in the U.S. Supreme Court and accused him of all types of crimes and even inferred he was "hacking" her

website and Paypal accounts as she has also accused President Obama and his “thugs,” just as she has done to the within Plaintiffs’.

This case sets forth the facts that Defendant’s, Orly Taitz a/k/a Law Offices of Orly Taitz a/k/a Orly Taitz, Inc. and Defend our Freedoms Foundation, Inc., have sent Plaintiff Lisa Liberi’s Social Security number and personal data via e-mail in mass mailings, media groups, internationally and to tens of thousands of undisclosed recipients, requesting the information to be posted on websites across the internet and have been harassing Plaintiffs, Lisa Liberi, Philip J. Berg, Esquire and the Law Offices of Philip J. Berg, Lisa Ostella and her family and have filed falsified police and law enforcement reports against Lisa Ostella and Lisa Liberi regarding supposed “hacking” of Defendant Orly Taitz, et al websites and PayPal accounts. Lisa Liberi and her husband were also accused of “hacking” and tampering with Defendant Orly Taitz’s website and PayPal accounts. Taitz and DOFF have been slandering Plaintiffs herein, their staff and their businesses; posting libel regarding the Plaintiffs, their staff and their businesses on the internet and through mass mailings on the internet; and harassing the Plaintiffs, their staff and their businesses.

As a result, Plaintiffs’ filed suit against Taitz, DOFF and other Defendants’ as a result of the illegal, tortuous, injurious, harassing, slanderous, libelous behaviors, invasion of privacy, violations of the First and Fourteenth Amendment of the United States Constitution and violations of State and Federal laws by distributing Liberi’s full Social Security number and other personal identifying information on May 4, 2009. Taitz was served on May 4, 2009 and DOFF was served on May 5, 2009. Due to the Memorial Holiday, instead of the normal twenty [20] days for the non-governmental Defendant to respond, Taitz was afforded twenty-two [22] days by the Court to respond and DOFF was provided twenty-one [21] days by the Court to

respond. Taitz and DOFF's Answers were due in the Court May 26, 2009. Taitz and DOFF failed to timely file their Answer.

Since the filing of Plaintiffs' Complaint and personal service by a licensed process service company, upon Taitz and DOFF, Taitz through DOFF has continued her tortuous, injurious, activities and behaviors, including but not limited to harassment, violation of Privacy, violations of the First and Fourteen Amendment, slandering, libelous behavior, continued sending out Taitz Dossier #6 with Liberi's full Social Security number and other personal identifying information; Taitz Dossier #6 is also posted on her website at <http://www.orlytaitzesq.com/blog1/?p=8> and have published terrorist type threats against the Plaintiffs'. Moreover, Taitz through DOFF even called for individuals in the States where Plaintiffs' reside and has requested everyone in the cyber space world to dig on Plaintiff Liberi, her husband, Plaintiff Adams and locate their previous addresses, Social Security numbers, even though she has Liberi's, voting records; look for any criminal records, etc. in an attempt to continue their illegal and dangerous behaviors against Plaintiffs, their staff and their businesses. As a result, Plaintiffs, their staff and their businesses have been severely damaged as outlined herein.

Taitz through DOFF has placed postings on her internet site www.orlytaitzesq.com calling for volunteers to put together a Militia, calling for donations and money for guns, ammo and communications. Taitz through DOFF has gone even further: she has labeled Plaintiffs' "Obots"; President Obama supporters; and claims Plaintiffs' work for President Obama. The purpose Taitz through DOFF made a point to label the Plaintiffs' "Obots", President Obama Supporters and the claims Plaintiffs' work for President Obama is to make Plaintiffs' part of

President Obama's "clique" wherein Taitz through DOFF posted on her website at <http://www.orlytaitzesq.com/blog1/?p=36> that

"Just like the country needs to be purged of Obama and his clique, that are in power by virtue of forgery, fraud and concealment of vital records, the patriots of this country need to purge their ranks."¹

The word "Clique" in the English dictionary means "*a small, exclusive group of people*"¹ and the word "Purge" in the political sense, means, "*to put to death or otherwise eliminate (undesirable or unwanted members) from a political organization, government, nation, etc.*"²

Taitz has falsely accused Plaintiff Ostella of stealing her domains, website and blogs. Ostella purchased the name "Defend our Freedoms" prior to Taitz setting up the Corporation, Defend our Freedoms Foundation, Inc. Furthermore, Ostella owned the domain names of Defend our Freedoms; owned the Defend our Freedoms name, which she had copywrited prior to Taitz incorporating the name "Defend our Freedoms Foundation, Inc.", and paid for the server prior to allowing Taitz or DOFF to use it. Other than the time Ostella donated to Taitz; none of the other Plaintiffs' worked with Taitz and/or DOFF. In fact, Berg, his law firm and Liberi refused to work with Taitz or have anything to do with her as a result of her explosive actions.

Since personal service was made upon Taitz and DOFF, Taitz has conspired with Defendant Neil Sankey and altered and forged emails of Plaintiff Ostella. On May 28, 2009, Neil Sankey went onto Defendant Plains Radio Network and falsely stated Plaintiff Ostella sent him emails and directed him to investigate Liberi and that Liberi's name was Richards and Liberi had a police record for ID [sic] theft, knowing the information to be false. Three [3] days later, Taitz through DOFF posted on her website at www.orlytaitzesq.com the same statement as made

¹ <http://dictionary.reference.com/browse/clique>

² <http://dictionary.reference.com/browse/purge>

by Defendant Neil Sankey and posted emails which they had clearly altered, fabricated and forged emails of Plaintiff Ostella, see **EXHIBIT “A”**.

In addition, Plaintiff Ostella received phone calls stating Taitz was telling people “professionals are going to kidnap Lisa Ostella’s children”.

Taitz filed falsified police reports with the FBI, Los Angeles; Orange County Sheriff’s Department, Santa Ana, California and other unknown agencies claiming Plaintiff Liberi and Ostella were one and the same person and Liberi was “hacking” her PayPal account and diverting funds. Liberi has never had anything to do with Taitz and/or her website and until recently had never even visited it. Ostella was Taitz webmaster for a short period of time.

Taitz through DOFF has stated Liberi’s investigation and obtaining documents is in question and has gone as far as inferred Liberi manufactured, forged, and/or altered documents associated with any pleadings Liberi has prepared on behalf of Berg, which is completely false. Liberi is a Paralegal, not an investigator and drafts pursuant to the laws on the books. Taitz through DOFF continues slandering and posting libel about the Plaintiffs’ and has given the impression to people on the internet that Liberi is threatening her. Taitz has continued her falsified statements that Berg, Adams and Ostella are diverting funds from her PayPal account, illegally using DOFF to secure funding, calling the Plaintiffs’ “thugs”, accusing Ostella of stealing her domains, when Ostella owned the domain names “Defend our Freedoms” prior to Taitz creation of Defend our Freedoms Foundation, Inc. and placed her (Ostella’s) domain names on her (Ostella’s) own server, which Ostella paid for and simply allowed Taitz to use her domain name and server, etc.

Taitz and DOFF’s Answer to Plaintiffs’ Complaint was due to be filed on or before May 26, 2009. Taitz and DOFF failed to timely file their Answers to Plaintiffs’ Complaint with this

Court. As a result, Default was entered against them on May 27, 2009. Taitz and DOFF's Motion to Dismiss was filed on May 28, 2009 and entered on the Docket May 29, 2009 as Docket entry 35, again after Default had been entered and after Liberi's request for Judgment by Default was filed. Plaintiffs' are unsure exactly what grounds Taitz and DOFF are claiming for their Motion to Dismiss. The Motion to Dismiss is an improper Motion and not pursuant to any Rules of this Court. Taitz and DOFF simply state the Court is without Subject Matter Jurisdiction, which is completely false as this is a Diversity Jurisdiction case. Next, Taitz and DOFF claim, "The defendants do not reside within this jurisdiction within the meaning of 28 U.S.C.A. § 1331(b) and the claim for which this action arose is outside of this jurisdictional district," again which is not true. Taitz and DOFF go on further claiming, "no federal question is alleged in the complaint." Again, a false statement.

Furthermore, since Default was entered and a Request for Judgment to be entered by Default was filed prior to the filing of Taitz and DOFF's "Motions" to Dismiss, they have waived their rights to raise the issue of Venue or Personal Jurisdiction. Taitz is a licensed Attorney within the State of California. Taitz is admitted to practice law in the United States District Court, Central District of California. Taitz is aware of the Federal Rules of Civil Procedure as she currently has a pending action in the United States District Court, Central District of California. Moreover, Taitz is well aware of the rules of timely responses and adhering to the dates established by the Court as Taitz is seeking a Default Judgment against President Obama in her case before the U.S. District Court, Central District of California. There is absolutely no excuse for her failure to send her and DOFF's Answer to the Court for timely filing. In addition, Taitz is on the California ECF filings system and on Pacer as she has partial

copies of her California Federal case posted on her website at www.orlytaitzesq.com, see **EXHIBIT “B”**.

Most important, Taitz through DOFF has clients who are residents of Pennsylvania within this forum which Taitz through DOFF are representing. Taitz through DOFF just filed for an Emergency Writ in the U.S. Supreme Court on their behalf. She has been and currently is conducting business within this Court’s jurisdiction and is soliciting more work and clients in this Court’s jurisdiction, see **EXHIBIT “C”**, thus this Court has both general and specific personal jurisdiction over Taitz and DOFF.

Taitz and DOFF have not listed any witnesses they are planning on calling that are pertinent to this case or that have any type of knowledge pertaining to this case; they have not stated any type of inconvenience or hardship with the case in this Court’s forum; and they have not stated any type of convenience or inconvenience of any witnesses or themselves with the matter being heard in this Court’s forum. However, Plaintiffs’ will be severely prejudiced as they have witnesses planning to appear to testify in this Court’s forum, including but not limited to all Plaintiffs’, Berg’s webmaster; Berg’s Blog administrators; several witnesses pertaining to the defamation; libel, slander, threats and personal identifying information released, including Liberi’s full Social Security number, date of birth, etc. stated, emailed and posted by the Defendants’; witnesses testifying regarding radio shows done by the Defendants’; the posting of forged, altered and manufactured emails of Ostella by Taitz and Defendant Neil Sankey; Berg cannot afford to shut down his office, Plaintiff Law Offices of Philip J. Berg, for several days at a time to travel to an improper forum located out-of-state to attend Court hearings; this Court has personal and specific jurisdiction over Taitz and DOFF; all the books and records are located in this Court’s jurisdiction; and this Court’s forum is convenient to all witnesses being called.

For the above aforementioned as better outlined herein these Motions to Dismiss, Docket entry numbers 35 and 53 must be dismissed.

II. OBJECTIONS AND MOTION TO STRIKE

Plaintiffs hereby object to Taitz and DOFF's Motion to Dismiss and asks this Court to Strike Taitz and DOFF's entire inappropriate Motion to Dismiss, or in the alternative strike ¶¶ 2-16 of the Motions entered as Docket entry numbers 35 and 53 and all attached documents as they contains nothing more than immaterial, impertinent, and scandalous statements and material and is completely impertinent to the within action; conclusions of law; hearsay statements; hearsay documents; speculation; conclusory statements which fail to give any type of legally sufficient defense; and fails to embark upon or even address the substantiated claims in Plaintiffs' Complaint. Taitz only filed this nonsense to prejudice the Plaintiffs' and to unnecessarily reflect negatively on the moral character of Liberi and Berg.

Moreover, Taitz and DOFF attached a document with the full Social Security number of Plaintiff Liberi with these Motions. All these documents have been filed in this action approximately four [4] times. No where in Taitz and DOFF's inappropriate brief does Taitz or DOFF explain why they would attach a document bearing a parties full Social Security number or what bearing it has to the case, as it does not.

Taitz and DOFF's inappropriate Motion to Dismiss, Taitz simply makes hearsay, unsubstantiated, statements, conclusory statements, and scandalous statements which are conclusions of law; hearsay statements; speculation; conclusory statements, immaterial, impertinent, and scandalous and is completely irrelevant, impertinent and immaterial to the within action; which fail to give any type of legally sufficient defense, fail to address any of the allegations in Plaintiffs' substantiated and verified Complaint; nothing more, nothing to

substantiate or that has any type of bearing on the within action. For this reason, Defendant's, Taitz and DOFF's inappropriate Motion to Dismiss should be stricken in its entirety or in the alternative, ¶ 2-16 in the Motions filed as Docket entries 35 and 53 and all attachments should be stricken.

Federal Rules of Civil Procedure, Rule 12(f) states:

(f) Motion to Strike. The court may strike from a pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter.

The court may act:

- (1) on its own; or
- (2) on motion made by a party either before responding to the pleading or, if a response is not allowed, within 20 days after being served with the pleading.

"Scandalous" generally refers to any allegation that unnecessarily reflects on the moral character of an individual or states anything in repulsive language that detracts from the dignity of the Court. Courts will typically strike so-called scandalous material only if it is irrelevant and immaterial to the issues in controversy. See *Cobell v. Norton*, 224 F.R.D. 1, 5 (D.D.C. 2004) (citing Moore's for proposition that statement may be stricken as "scandalous" only when it contains allegation "that unnecessarily reflects on the moral character of an individual or states anything in repulsive language that detracts from the dignity of the court"); *7th Circuit Talbot v. Robert Matthews Distrib. Co.*, 961 F.2d 654, 664 (7th Cir. 1992) ("[a]llegations may be stricken as scandalous if the matter bears no possible relation to the controversy or may cause the objecting party prejudice").

The statements and material provided by Taitz and DOFF in paragraphs two through sixteen [2-16] are extremely prejudicial to the Plaintiffs and have absolutely no bearing to the within action; they do not address any of the allegations in Plaintiffs' substantiated and verified

Complaint and does not raise any type of defense. Further, the presence of the references sought to be stricken must be prejudicial to the movant, which it is herein. *Pelech v. Klaff-Joss, L.P.*, 828 F. Supp. 525, 536-37 (N.D. Ill. 1993) (acknowledging the seriousness implied in any poorly supported allegations); *Robinson v. The Midlane Club, Inc. et al.*, 1994 U.S. Dist. LEXIS 14790, 1994 WL 577219 *2 (N.D. Ill. Oct. 19, 1994), *see, e.g., Imperial Constr. Management Corp. v. Laborers' Int'l Union, Local 96*, 818 F. Supp. 1179, 1186 (N.D. Ill. 1993) (granting a motion to strike affirmative defenses because they only added clutter to the case and because they were without merit, but upholding general rule disfavoring such motions).

III. THE STANDARD OF GRANTING RULE 12 MOTIONS

Although, Taitz and DOFF failed to raise exactly what statute they were filing their Motion to Dismiss, Plaintiffs will assume it is under Federal Rules of Civil Procedure. If this is correct, Taitz and DOFF have not met their burden for this Court to grant their relief.

Rule 12 of the Federal Rules of Civil Procedure provides that a party may raise and a Court grant a motion to dismiss based on lack of subject matter jurisdiction, lack of personal jurisdiction, improper venue and failure to state a claim upon which relief can be granted.

As a general matter, in ruling on a **Rule 12 motion to dismiss** a court is to consider all the well-pleaded allegations in the complaint, as well as the content of any exhibit attached to the complaint. See *Phillips v. County of Allegheny*, 515 F.3d 224, 233, 234 (3d Cir. 2008); *In re Rockefeller Center Properties, Inc. Securities Litigation*, 184 F.3d 280, 287 (3d Cir. 1999); *Palmer v. City of Harrisburg*, 2008 U.S. Dist. LEXIS 33381, *6-7 (M.D. Pa. 2008). When there is a challenge to the court's subject matter jurisdiction under Rule 12(b)(1) or to the existence of personal jurisdiction over a defendant under Rule 12(b)(2), not only may a court look beyond the pleadings but it then becomes the plaintiff's burden to show that there is either

subject matter or personal jurisdiction. See *Arbaugh v. Y&H Corp.*, 546 U.S. 500, 514, 126 S. Ct. 1235, 1244 (2006) (subject matter jurisdiction); *Smith v. Garb*, 988 F. Supp 868, 869 (E.D. Pa. 1997), *aff'd w/o op.* 159 F.3d 1353 (3d Cir. 1998) (same); *IMO Industries v. Kierkert AG*, 155 F.3d 254, 257 (3d Cir. 1998) (personal jurisdiction).

However, when Taitz and DOFF failed to timely raise the issue of Venue and/or Personal Jurisdiction and the issues were not raised prior to a Default being entered and the Request for Default Judgment Package was filed, they waived their right to raise the issues. *Breland v. ATC Vancom Inc.*, 212 F.R.D. 475 (E.D. Pa. 2002); *Gordon v. Strictland*, 1993 U.S. Dist. LEXIS 13576 (E.D. Pa. Sept. 23, 1993); *Kampf v. Heinecke*, 1995 U.S. Dist. LEXIS 5592 (E.D. Pa. Apr. 28, 1995); *Swaim v. Moltan Co.*, 73 F.3d 711, 718 (7th Cir. 1996).

In addition, Taitz and DOFF failed to raise or assert any type of a defense and therefore, their Motions to Dismiss fail, *Myers v. American Dental Ass'n*, 695 F.2d 716, 720 (3d Cir. 1982).

For the above aforementioned reasons, Taitz and DOFF have not met the standards for their Motions to Dismiss to be granted. Thus, Taitz and DOFF's Motions must be denied.

IV. THIS COURT HAS SUBJECT MATTER JURISDICTION PURSUANT TO FEDERAL QUESTION JURISDICTION AND DIVERSITY JURISDICTION

Defendant's Taitz and DOFF assert this Court lacks subject matter jurisdiction; the Defendants do not reside within this Court's jurisdiction within the meaning of 28 U.S.C. §1391(b) and the claim for which this action arose is outside of this jurisdictional district; no federal question is alleged in the complaint. Taitz and DOFF Motion to Dismiss, page one [1], paragraph one [¶ 1]. This is completely wrong and misplaced.

Plaintiffs' Complaint clearly states this case involves diversity of citizenship and this Court has jurisdiction pursuant to 28 U.S.C. §1332(a). Plaintiffs' Complaint further states that

this case arises under the Constitution and laws of the United States and presents a federal question with this Court's jurisdiction under Article III of the Constitution and 28 U.S.C. § 1331. This Court has venue pursuant to 28 U.S.C. §1391(a). Plaintiffs' Complaint further lists all the addresses for each and every Plaintiff and Defendant. In the Complaint it shows Defendants are located in the State of Texas, California and New Jersey. Thus, even if there is a typo in Plaintiffs' Complaint and states venue as 28 U.S.C. §1391(b) by mistake instead of 28 U.S.C. §1391(a), its an amendable error and the Complaint is clear that complete diversity exists as none of the Defendants reside in the Commonwealth of Pennsylvania. However, even though none of the Defendants reside within Pennsylvania, pursuant to the Long Arm Statute, Pennsylvania does have personal jurisdiction over several of the Defendants'.

As for Diversity of Citizenship cases, this Court has subject matter jurisdiction, as Plaintiffs' are suing citizens of different states for in excess of \$75,000.00. See Employers Ins. Of Wausau v. Crown Cork and Seal Co., 905 F.2d 42, 45 (4th Cir. 1990).

Federal Question Jurisdiction, cases that arise under a federal law (called "federal question" cases). Federal District Courts have subject matter jurisdiction if your case is based on (arises under) any federal law, Starr v. Potter, 2009 U.S. Dist. LEXIS 26866 (D.N.J. Mar. 31, 2009). The face of Plaintiffs' Complaint states jurisdiction is also invoked pursuant to the Federal Question. In the Cause of Actions violations of the First and Fourteenth Amendment of the United States Constitution are plead; Identity Theft and Assumption Deterrence Act, 18 U.S.C. §1028(a)(7); Pennsylvania Privacy Acts (74 Pa. Stat. Ann. § 201 (West 2006); the Electronic Communications Privacy Act, 18 U.S.C. §§2510-22, and the Stored Communications Act, 18 U.S.C. §§2701-11; Cyber harassment, Cyber stalking, etc. in violation of the Women's Violence Act, Department of Justice Reauthorization Act of 2005, H.R. 3402, titled "Preventing

Cyber stalking" and numbered as § 113, §113(a)(3) provides that Section 223(a)(1)(C) applies to "any device or software that can be used to originate telecommunications or other types of communications that are transmitted, in whole or in part, by the Internet; Cyber-stalking and Cyber-harassment laws in violation of the Communications Act, 47 U.S.C. § 223(a)(1)(C) and § 223(h)(1)(B) are also plead. Therefore, Plaintiffs' have met the requirements for their well plead Complaint which arises under a Federal Question, 28 U.S.C. § 1331 and Diversified Jurisdiction, 28 U.S.C. § 1332(a).

For the above aforementioned reasons, Defendants, Taitz and DOFF's Motions to Dismiss must be denied.

V. TAITZ AND DOFF WAIVED THEIR RIGHT TO RAISE THE ISSUE OF VENUE and/or PERSONAL JURISDICTION WHEN THEY FAILED TO TIMELY FILE THEIR ANSWER TO PLAINTIFFS COMPLAINT AND FAILED TO FILE THEIR ANSWER PRIOR TO THE ENTRY OF DEFAULT

As stated above, Taitz and DOFF failed to timely file their Answer and their inappropriate Motions to Dismiss. As a result, Default was entered on May 27, 2009 and Counsel for Plaintiffs' filed a Default Judgment package for Judgment to be entered by Default for Liberi, as reflected on the Court's docket as Document number thirty [30], prior to Taitz and DOFF's filing of their belated Answer; Motions to Dismiss; and Opposition to Plaintiffs' Request for Injunction. Taitz and DOFF fail to state what their Motion to Dismiss is based upon or what statute the Motion falls under, e.g. Rule 12, etc. Taitz mentions one statute, 28 U.S.C. §1391(b), which is simply Venue. Due to the fact, Default was entered and the package was filed with this Court for the entry of Judgment by Default prior to any filings of Taitz and DOFF, Taitz and DOFF have waived their rights to raise the issues.

Improper venue may be waived by the Defendants. Nothing impairs the jurisdiction of this or any District Court of any matter involving a party who does not interpose timely and sufficient objections to the venue, 28 U.S.C. § 1406(b). The Court of Appeals has recognized that the right to defend suit in the appropriate venue is conferred for the personal benefit of the Defendants and may be waived by Defendant. See *Davis v. Smith*, 253 F.2d 286, 288 (3d Cir. 1958).

Taitz and DOFF have the burden of proving venue is improper in the selected venue. *Freedom Mortg. Corp. v. Irwin Fin. Corp.*, 2009 U.S. Dist. LEXIS 24208 (D. Del. Mar. 23, 2009); quoting *Myers v. American Dental Ass'n*, 695 F.2d 716, 720 (3d Cir. 1982). Taitz and DOFF have failed to prove anything in regards to venue. All Taitz and DOFF have done is make bare unsubstantiated statements which are immaterial, impertinent, and scandalous statements and material and is completely impertinent to the within action; conclusions of law; hearsay statements; hearsay documents; speculation; conclusory statements which fail to give any type of legally sufficient defense; and fails to embark upon or even address the substantiated claims in Plaintiffs' Complaint, much less address the issues of Venue; or the Pennsylvania long-arm statute; or support their "supposed" Motion to Dismiss or in the alternative, transfer the within action.

Plaintiffs' are clearly asserting that Defendant's, Taitz and DOFF waived their right to object to improper venue by filing its response to the Complaint after the date allotted and after Default was entered by the Court and after Plaintiffs' filed their package of documents for entry of Judgment by Default. See Fed. R. Civ. P. 12(h)(1) (noting that objection to improper venue is waived if not appropriately asserted). Although the Court of Appeals for the Third Circuit does not appear to have addressed this issue, at least one Court in the Eastern District of Pennsylvania

has concluded that a Defendant waives his right to object to improper venue when he fails to Answer the Complaint in a timely fashion. See *Granger v. Kemm, Inc.*, 250 F. Supp. 644, 645-46 (E.D. Pa. 1966) (Davis, J.) (concluding that motion filed 55 days after service of complaint constituted waiver). District Courts within the Third Circuit have since moved towards the position that a defendant's motion will not be waived for tardiness where a Plaintiff has not moved for default. See *Breland v. ATC Vancom Inc.*, 212 F.R.D. 475 (E.D. Pa. 2002), at *5-6 (E.D. Pa. Dec. 4, 2002), quoting *Gordon v. Strictland*, 1993 U.S. Dist. LEXIS 13576 (E.D. Pa. Sept. 23, 1993), at *2 n.3 (E.D. Pa. Sept. 24, 1993) (VanArtsdal, J.) ("Unless a plaintiff has made a motion for default, a Defendant's Motion to Dismiss for improper venue after the 20 day period is timely if the defendant has not yet responded."); *Kampf v. Heinecke*, 1995 U.S. Dist. LEXIS 5592 (E.D. Pa. Apr. 28, 1995), *1 (E.D. Pa. April 28, 1995) (McGlynn, J.) (concluding that defendants' late objection for improper venue was timely, where plaintiff failed to move for default judgment). Default was entered against Taitz and DOFF on May 27, 2009; Plaintiffs' Request for Judgment to be entered by Default packages were filed on May 28, 2009, prior to the filing of Taitz and DOFF's Answer and Motion to Dismiss, thus, Taitz and DOFF waived their right to raise the issue of venue.

Moreover, Taitz and DOFF failed to prove any affirmative defenses. In fact, Taitz and DOFF have waived their right to any Affirmative Defenses as they failed to raise any in their Answer; Motion to Dismiss; and/or Objections to Plaintiffs' Request for Injunctive Relief. The findings of the Third Circuit Court of Appeal in the case of *Myers v. American Dental Ass'n*, 695 F.2d 716, 720 (3d Cir. 1982) at *21:

"By contrast, a motion to dismiss for improper venue is not an attack on jurisdiction but only an affirmative dilatory defense. Because of the nature of the motion, "it is not necessary [as contrasted with jurisdiction] for the plaintiff to include allegations showing the venue to be proper." Fed. R. Civ. P. Form 2, Advisory Committee note 3.

It logically follows therefore that on a motion for dismissal for improper venue under **Rule 12 the movant has the burden of proving the affirmative defense asserted by it.** United Rubber, Cork, Linoleum & Plastic Workers v. Lee Rubber & Tire Corp., 269 F. Supp. 708, 715 (D.N.J. 1967), *aff'd*, 394 F.2d 362 (3d Cir.), *cert. denied*, 393 U.S. 835, 21 L. Ed. 2d 105, 89 S. Ct. 108 (1968)." [emphasis added]

As the above cases outline, Taitz and DOFF waived their right to challenge the Venue of this Court. Default was entered against Taitz and DOFF on May 27, 2009; Plaintiffs' filed a Request for Judgment by Default package on May 28, 2009 prior to the filing of Taitz and DOFF's untimely Answer; Motion to Dismiss; and Objection to Plaintiffs' Injunction.

The Court's treat lack of personal Jurisdiction in the same manner. Defendants can waive lack of jurisdiction, which clearly is the case herein, even though Taitz and DOFF meet the minimum contacts standard, which gives this very Court Jurisdiction. Taitz and DOFF waived their right to object to jurisdiction as improper for failing to timely file their Answer; Motion to Dismiss and Objection to Plaintiffs' Motion for an Injunction and failing to file their belated documents prior to entry of Default and prior to the Request for Judgment to be entered by Default. Myers v. American Dental Ass'n, 695 F.2d 716, 720 (3d Cir. 1982) (lack of personal jurisdiction waived because defendant did not include defense in motion to dismiss for improper venue; citing Moore's). Great Prize, S.A. v. Mariner Shipping Party, Ltd., 967 F.2d 157, 159 n. 5 (5th Cir. 1992) (lack of personal jurisdiction may be waived under Fed. R. Civ. P. 12(b)(2), (h)(1)); Swaim v. Moltan Co., 73 F.3d 711, 718 (7th Cir. 1996) ("A defense of lack of [personal] jurisdiction is forfeited if not asserted in a timely motion to dismiss under Rule 12 or a responsive pleading or amendment of such as provided by Rule 15.").

Taitz and DOFF fail to address the fact, they meet the minimum contact standards; their illegal, unethical and injurious behaviors and actions, which were activities purposefully directed towards residents of this State. In so doing, Taitz and DOFF were provided "fair warning" that

they may be subject to suit in this forum. *Burger King Corp. v. Rudzewicz*, 471 U.S. 462 at 472. Again, Taitz is a licensed Attorney and is aware of the laws of our land.

For the above aforementioned reasons, Taitz and DOFF's Motion to Dismiss must be denied as they waived their rights to raise the issues.

VI. ALTHOUGH TAITZ AND DOFF HAVE WAIVED THEIR RIGHT TO RAISE THE ISSUE OF VENUE and/or PERSONAL JURISDICTION, THIS COURT IS THE PROPER VENUE AND HAS PERSONAL JURISDICTION OVER TAITZ AND DOFF UNDER THE PENNSYLVANIA LONG-ARM STATUTE.

As this Court is aware this is a complete diversified jurisdictional case. None of the Defendants' reside within this State; a substantial part of the events gave raise to Plaintiffs' claims within this District; and Taitz, DOFF and two (2) other Defendant's were and are subject to personal jurisdiction in this Court's District, 28 U.S.C. §1391(a)(2) and 28 U.S.C. §1391(a)(3).

In a diversity action like this one, venue is proper "only in (1) a judicial district where any defendant resides, if all defendants reside in the same State, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant is subject to personal jurisdiction at the time the action is commenced, if there is no district in which the action may otherwise be brought." 28 U.S.C. §1391(a).

As to Section 1391(a)(2), "[t]he test for determining venue is not the Defendant's 'contacts' with a particular district, but rather the location of those 'events or omissions giving rise to the claim' . . ." *Cottman Transmission Systems, Inc. v. Martino*, 36 F.3d 291, 294 (3d Cir. 1994).

As to Section 1391(a)(3), the other basis for venue here cited by Plaintiffs', that subsection applies because there is not another district in which Plaintiffs' claims may otherwise be brought; therefore, an express condition for the application of Section 1391(a)(3) - lack of another district in which the action may be brought - is satisfied.

Under the Federal Rules of Civil Procedure, "a district court may assert personal jurisdiction 'over non-resident Defendants to the extent permissible under the law of the state where the district court sits.'" Remick, 238 F.3d at 255 (quoting Pennzoil Prods. Co. v. Colelli & Assocs., Inc., 149 F.3d 197, 200 (3d Cir. 1998)). Under Pennsylvania's long-arm statute, *42 Pa. Cons. Stat. Ann. § 5322(b)*, Pennsylvania Courts may "exercise personal jurisdiction over non-resident defendants to the constitutional limits of the *due process clause of the fourteenth amendment*." Remick v. Manfredy, 238 F.3d 248, 253 (3d Cir. Pa. 2001) at 255 (quoting Mellon Bank (East) PSFS, Nat'l Ass'n v. Farino, 960 F.2d 1217, 1221 (3d Cir. 1992)).

There are two types of personal jurisdiction a court may assert over a Defendant -- general jurisdiction or specific jurisdiction. Mellon Bank (East) PSFS, 960 F.2d at 1221. If general jurisdiction exists, a court may exercise jurisdiction over a non-resident Defendant as to any claim against [him], regardless of whether the subject matter of the cause of action has any connection to the forum." Id. General Jurisdiction normally is invoked only when a Defendant has maintained "systematic and continuous" contacts with the forum state. Marten, 499 F.3d at 296 (citing Helicopteros Nacionales de Colombia, S.A. v. Hall, 466 U.S. 408, 414-15, 104 S. Ct. 1868, 80 L. Ed. 2d 404 & n.8 (1984)); Remick, 238 F.3d at 255. Conversely, specific jurisdiction "is present only if the Plaintiffs' cause of action arises out of a Defendant's forum-related activities, such that the Defendant should reasonably anticipate being hauled into court in that forum." Remick, 238 F.3d at 255 (quoting Vetrotex Certainteed Corp. v. Consol. Fiber Glass

Prods. Co., 75 F.3d 147, 151 (3d Cir. 1996)); see also Marten, 499 F.3d at 296 ("Specific jurisdiction exists when the claim arises from or relates to conduct purposely directed at the forum state.").

The Due Process clause of the Fourteenth Amendment of the Constitution of the United States limits the reach of state long-arm statutes and precludes personal jurisdictional over a nonresident defendant unless the nonresident has "certain minimum contacts with [the forum] such that the maintenance of the suit does not offend 'traditional notions of fair play and substantial justice.'" International Shoe Co. v. Washington, 326 U.S. 310, 316 (1945).

Personal jurisdiction over a defendant may be specific or general. Specific jurisdiction exists if the Plaintiff's cause of action is related to or arises out of the Defendant's contacts with the forum state or with the Defendant's forum-related activities. Helicopteros Nacionales de Colombia, S.A. v. Hall, 466 U.S. 408, 414 n.8 (1984). In other words, Specific personal jurisdiction exists when a defendant has "'purposefully directed [its] activities at residents of the forum and the litigation results from alleged injuries that "arise out of or are related to" those activities.'" BP Chemicals, Inc., 229 F.3d at 259, quoting from Burger King Corp. v. Rudzewicz, 471 U.S. 462, 472, 105 S. Ct. 2174 (1985). For there to be general jurisdiction over a defendant, its contacts "with the forum, whether or not related to the litigation, [must be] 'continuous and systematic.'" Id., quoting from Helicopteros Nacionales de Colombia v. Hall, 466 U.S. 408, 416, 104 S. Ct. 1868 (1984). As to individual defendants, "as a general rule, 'individuals performing acts in a state in their corporate capacity are not subject to the courts of that state for those acts.'" Nat'l Precast Crypt Co. v. Dy-Core of Pennsylvania, 785 F. Supp 1186, 1191 (W.D. Pa. 1992).

General jurisdiction exists when the claim does not arise from the defendant's contact with the forum state, but the defendant has nonetheless maintained "continuous and systematic"

contacts with the forum state. *Helicopteros*, 466 U.S. at 414 n.9. The type of contacts, which if continuous and systematic, may give rise to general jurisdiction are ownership of property in the forum state, **solicitation of business in the forum state, business activities in the forum state** or the sale of products to persons or entities within the forum state. *Litman v. Walt Disney World Co.*, 2002 U.S. Dist. LEXIS 5115, *18 (01-CV-3891) (E.D. Pa. 2002). Those contacts must be "extensive and pervasive" to provide a basis for personal jurisdiction. *Reliance Steel Products Co. v. Watson, Ess, Marshall & Enggas*, 675 F.2d 587 (3d Cir. 1982) (citing *Compagnie des Bauxites de Guinée v. Insurance Co. of North America*, 651 F.2d 877, 890 (3d Cir. 1981) (Gibbons, J., dissenting), *aff'd*, 456 U.S. 694, 102 S. Ct. 2099, 72 L. Ed. 2d 492 (1982)).

Taitz cannot say she does not have any connections to this forum, or that this forum does not have any jurisdiction over her and DOFF, as she has attempted in her other so called "Motions." First, Taitz and DOFF waived their right to raise the issue of venue as the Default was entered prior to her actually filing her and DOFF's Answer. Next, Taitz through DOFF has four [4] Plaintiffs whom she represents located within this Court's jurisdiction by her own admissions as posted by Taitz on the DOFF website at <http://www.orlytaitzesq.com/blog1/?m=20090426>, Charles Crusemire, James N. Glunt, Arthur J. Olsczewski, and Wayne Eugene Keller. Additionally, Taitz through DOFF works with and has obtained money from three [3] individuals within this Court's jurisdiction, names of which will be provided to this Court due to confidentiality of the individual's names. More importantly, Taitz through DOFF 'purposefully directed their illegal activities at residents of this forum, the Law Offices of Philip J. Berg, Philip J. Berg, Esquire, his paralegal, Liberi, etc. and this litigation results from alleged injuries that have "arisen out of and are related to" Taitz and DOFF's activities, which are detailed in Plaintiffs' Complaint.

Moreover, Taitz through DOFF is calling for a recall of United States Senator of Pennsylvania, Arlen Specter for the Commonwealth of Pennsylvania with an Office in Philadelphia. Taitz through DOFF states at her DOFF website <http://www.orlytaitzesq.com/blog1/?p=450>:

“If you are a citizen of Pennsylvania and would like to run a recall campaign, please call me 949-683-5411. Any citizens of Pennsylvania, who would like to recall Arlen-Arnold, please put your name and contact info, so we can run a recall thread.”

Taitz through DOFF has already obtained at least one participant, according to her website at <http://www.orlytaitzesq.com/blog1/?p=450>, see below:

“FedUp says:
April 29, 2009 at 8:54 am

I WANT TO RECALL SPECTER. I voted for him and now he needs to go!!! Let me know what we need to do to get him OUT!”

Thus, Taitz through DOFF is currently and actively working within this Court’s Jurisdiction as well as soliciting business within this Court’s jurisdiction. Not to mention the fact, she has sent her emails, Dossier #6, postings and writings to her followers and worker’s which gave rise to the within action.

As better explained above, May 31, 2009, Taitz through her company, DOFF posted under the header of, ***“I am trying to stay away from Liberi-Berg issue, but I got more questions and here is more info”***³. With Taitz post, she falsified information and the emails put on her website by her and Defendant Neil Sankey are altered, forged and illegally created emails illegally using Plaintiff Ostella’s email address. See **EXHIBIT “A”**.

³ <http://www.orlytaitzesq.com/blog1/?p=1843>

It is obvious the above statement by Taitz and DOFF were clearly directed at the Plaintiffs within Pennsylvania and within Montgomery County and further substantiates Plaintiffs' argument that this State and this Court are in fact the proper forum and this Court has personal jurisdiction over Taitz and DOFF.

This very Court maintains both General Jurisdiction over Taitz and DOFF as Taitz through her Company DOFF has four [4] clients within this Court's Jurisdiction as well as their continued efforts seeking to recall Arlen Specter, A U.S. Senator for Pennsylvania with an office address in Philadelphia, which satisfies the "systematic and continuous" contacts within this forum. In Addition, this Court also have Specific Jurisdiction over Taitz and DOFF as Plaintiffs' causes of actions relate to Taitz and DOFF's electronic communications with a group in this forum and Taitz and DOFF have purposely directed to this forum State injuries to Plaintiffs' within this Court's forum which Plaintiffs' cause of actions are based.

With our new Internet Cyber Space abilities, the Internet also confers jurisdiction upon this Court and in this forum. Whether jurisdiction is proper in cases involving the Internet "depends on where on a sliding scale of commercial interactivity the web site falls." *Id.* Where a Defendant is "clearly doing business through its web site in the forum state, and where the claim relates to or arises out of use of the web site, the *Zippo* Court held that personal jurisdiction exists." *Id.* *Zippo Manufacturing. Co. v. Zippo Dot Com, Inc.*, 952 F. Supp. 1119 at 1124 (W.D. Pa. 1997). To make this determination, the *Zippo* Court focused on whether the interactivity of a commercial Web site reflects "purposeful availment" or intended interaction with residents of the forum state. *See id.* (citation omitted). Purposeful availment is demonstrated when a defendant "(1) directs electronic activity into the State, (2) with the manifested intent of engaging in business or other interactions within the State, and (3) that activity creates, in a person within the

State, a potential cause of action cognizable in the State's courts." *Toys "R" Us, Inc. v. Step Two, S.A.*, 318 F.3d 446, 451 (3d Cir. N.J. 2003) at 453 (citation omitted).

Moreover, Taitz and DOFF sends and receives emails, Taitz prepares documents which she places on her website at www.orlytaitzesq.com, instructs her clientele in Pennsylvania to communicate with her via email, she accepts and solicits money from Pennsylvania, she has a post on her website directed at Pennsylvania residents with instructions for Pennsylvania residents in the Philadelphia area interested in being her clients and/or interested in seeking to have U.S. Senator of Pennsylvania Arlen Specter recalled to immediately contact her, she has made vile threats to the Plaintiffs' through the internet, posted on her website; through emails, etc. All of Taitz through DOFF's Pennsylvania military clients contacted Taitz through their website, www.orlytaitzesq.com which is on the internet and were instructed to download the Plaintiff forms, fill them out and return them to her. Moreover, she currently has a post, which Taitz posted on her website⁴ May 25, 2009 to her Clients which states:

"Reminder for members of the military"

Members of the military, please don't forget to send your 138 Grievances addressed to Captain Crawford, legal counsel to Admiral Malin, Chairman of the Joint Chiefs of Staff, whereby you are demanding verification of eligibility of Obama for the position of the Commander in Chief. Please note Obama's refusal to unseal all vital records and the fact that he provided only a computer image of COLB with obliterated number, which makes it invalid.

Please mail me the copies of your 138s.

Orly"

⁴ <http://www.orlytaitzesq.com/blog1/?p=1568>

June 10, 2009 Orly Taitz through DOFF posted on her website that she has made plans to be in Pennsylvania on June 25, 2009 to meet with PUMA and elected and appointed officials in New York, New Jersey and Pennsylvania. See her post below⁵:

Dr. Orly Taitz Esquire

Defend Our Freedoms Foundation 26302 La Paz ste 211, Mission Viejo CA 92691 Copyright 2009

« [Update MO](#)

Update NY, NJ, PA

tentative plans to meet with members of PUMA and elected and appointed officials in NY June 26.

Volunteer patriot in charge is Mark. Contact him mwestmann13@gmail.com

We are considering meeting in NJ on the 24th, and PA 25th. contact me at dr_taitz@yahoo.com let me know if you can assist with those. Please put the name of the state in the heading of the e-mail in big letters, so I can go straight to it

This entry was posted on Wednesday, June 10th, 2009 at 12:59 am and is filed under [Uncategorized](#). You can follow any responses to this entry through the [RSS 2.0](#) feed. You can [leave a response](#), or [trackback](#) from your own site.

All of the criteria outlined in *Toys "R" Us, Inc. v. Step Two, S.A.*, 318 F.3d 446, 451 (3d Cir. N.J. 2003) have been met and undoubtedly this Court has jurisdiction over Taitz and DOFF and this Court is the proper forum for this action. Thus, Defendant's Taitz and DOFF's Motion to Dismiss must be denied.

⁵ <http://www.orlytaitzesq.com/blog1/?p=2125>

VII. CONCLUSION

Defendant's Taitz and DOFF have failed to meet their burden of "Good Cause" in order to have the Default entered on May 27, 2009 Set Aside. Therefore, for the above aforementioned reasons clearly outlined, Defendant's, Orly Taitz a/k/a Dr. Orly Taitz a/k/a Law Offices of Orly Taitz a/k/a www.orlytaitzesq.com a/k/a www.repubx.com a/k/a Orly Taitz, Inc. and Defend our Freedoms Foundation, Inc. Motions to Dismiss must be denied; the Default Judgments should be immediately entered and Plaintiffs Injunction should be granted.

Respectfully submitted,

Dated: June 11, 2009

s/Philip J. Berg
PHILIP J. BERG, ESQUIRE
Attorney for Plaintiffs'

EXHIBIT “A”

Law Offices of:
Philip J. Berg, Esquire
555 Andorra Glen Court, Suite 12
Lafayette Hill, PA 19444-2531
Identification No. 09867
(610) 825-3134

Attorney for Plaintiffs

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LISA LIBERI, et al,

Plaintiffs,

vs.

Case No.: 09-cv-01898-ECR

ORLY TAITZ, et al,

Defendants.

DECLARATION OF PLAINTIFF LISA OSTELLA

I, Lisa Ostella, am a Plaintiff in the within action. I have personal knowledge of the facts herein and if called to do so, I could and would competently testify under oath.

I declare as follows:

1. I purchased the domain names defendantourfreedoms.us; defendantourfreedoms.net and defendantourfreedoms.com in or about early December.

I am the rightful owner of said domain names.

2. In or about November 2008 to April 2009, I donated my time as one of the webmaster's to Orly Taitz, one of the within Defendants.

3. Orly Taitz stated she had been having problems with her blog at www.drorlyblogspot.com, so I migrated her domain name defendantourfreedoms.us and moved her blog over to my account on GoDaddy, which I paid for.

4. In or about March 2009, someone changed the email address attached to Orly Taitz's PayPal account from orly_taitz@gmail.com to orly_taitz@gmail.org.

This could have simply been a typographical error. Four separate individuals had access to the scripting associated with the sidebar on the blog site.

5. In or about early March Orly began claiming her PayPal account and website were being hacked. I and Charlie, another webmaster explained to Ms. Taitz that her websites and PayPal account had not been hacked.

6. Despite this, Ms. Taitz filed a false report with the Orange County Sheriff's Department located in California and the Federal Bureau of Investigations also located in Southern California.

7. I told Ms. Taitz if she did not retract the false report, she would have to find another webhost and webmaster.

8. Ms. Taitz refused to retract her falsified police report, so I told her to find a new host.

9. Shortly thereafter, Ms. Taitz began falsifying stories about me stating I had hacked her PayPal account, websites and stole foundation monies, which is and was completely false. My email address and phone number does appear on Ms. Taitz PayPal account as I set up her PayPal Account for her. To date, Ms. Taitz has not removed my email address. However, my email address is not the email address funds are sent to.

10. Next, Ms. Taitz began claiming Plaintiff Liberi and I are the same person, the entire time knowing this was a false statement.

11. Ms. Taitz went on radio appearances, sent emails and posted on her new website/blog at www.orlytaitzesq.com that I was stealing her donations, I was redirecting her donations, I had stolen her domains and that I had locked her out of her website. Again, all of which Ms. Taitz knew was falsified.

12. Through-out April and May 2009, Defendant Orly Taitz began posting on her website at www.orlytaitzesq.com documents which she wrote and prepared labeling myself and all the other Plaintiffs' in this Action as "Obots", President Obama supporters and inferring we were his clique. Taitz wrote and distributed Dossier #6 with Plaintiff Liberi's full social security number and personal identifying information. Taitz also posted an article she wrote labeled "We need Political Penicillin" which was calling for volunteers to form a civilian army, a militia and calling for guns, ammo, money to purchase more guns, ammo and communications to fight against "Oppressive Government".

13. Defendant Taitz then wrote a document which she titled "*Update on Lisa Liberi, Paralegal to Phil Berg. In this post stating "Just like the country needs to be purged of Obama and his clique, that are in power by virtue of forgery, fraud and concealment of vital records, the patriots of this country need to purge their ranks."*"

14. In mid May 2009, I received a phone call stating Defendant Taitz was telling people professionals were going to kidnap my children.

15. I immediately contacted my local police department, North Brunswick Police Department and filed a criminal report, Report No.9024817. The Officer

who took the report put the incident type/Offense as Terroristic Threats/Threat to kill (2C:12-3B). This report was assigned to Detective Cano.

16. Now it appears Defendant's Neil Sankey and Orly Taitz have conspired together and not only altered and forged but created emails using my email address and claiming I wrote the emails and sent them. See **EXHIBIT "1"**.

17. Defendant Neil Sankey went onto Defendant Plains Radio on May 28, 2009 which was hosted by Defendant's Edgar Hale and Caren Hale. Neil Sankey stated that I sent him an email claiming Lisa Liberi, Philip J. Berg's Assistant; name was really Richards and had a Police Record for "ID" [sic] theft. This is completely false. I have never sent any such email to Neil Sankey or anyone else.

18. May 31, 2009, I received several emails, one from another webmaster, Charlie. In the email was the following post which Defendant Orly Taitz posted on her website:

<http://www.orlytaitzesq.com/blog1/?p=1843>

Dr. Orly Taitz Esquire

Defend Our Freedoms Foundation 26302 La Paz ste 211, Mission Viejo CA 92691 Copyright 2009

« [From reader Bob S. Did anyone see Hank Paulson coming out of his house lately?](#)

[Re Keyes v Obama](#) »

I am trying to stay away from Liberi-Berg issue, but i got more questions and here is more info.

I was asked by a number of people to explain why the name of Lisa Ostella is on the dossier #4.

When I was in Washington DC, I did not have an access to the Internet, as I was visiting the Director of the Selective Service William Chatfield and offices of several senators and was on the phone with the assistant and legal counsel for Admiral Malin. A lot of people asked me for an update and I called Lisa Ostella, the web master ,and asked her to post it on the Internet. As you can see, the fact that she signed DefendOurFeedomsFoundations, and she put her name as an assistant to me, clearly shows that she knew it is my foundation, under my name and she could sign as an assistant only as long as she was helping me. The moment I transferred to another webmaster, she had and has no right to advertise on behalf of the DefendOurFeedoms foundation, solicit donations and pocket the money.

You can also see (in the attachment) that she was the one that contacted the private investigator Mr. Sankey, and provided him the information that Lisa Liberi , assistant to Phil Berg, has a criminal record. Based on her report Mr. Sankey has investigated and confirmed this information, that indeed Lisa Liberi has this lengthy record of forgery of documents and forgery of an official seal and grand theft. Lisa Ostella changed her tune only after this whole issue with pay-pal came out. At first she and the rest of the plaintiffs came out with an outrageous lie that my husband was spying on people. Now they dismissed their law suit against my husband- and everybody knows that it was a manufactured charge.

As you can see, she was well aware about Liberi's criminal record, as was Berg and Liberi herself. Their legal action is nothing but perjury and an attempted obstruction of justice. I have written in the pleadings that the only address that Liberi provided, was Berg's office address and the reason is that she indeed resides in NM and is the Lisa Liberi with the criminal record. I received an e-mail recently that in the last couple of days Lisa Liberi has gotten a PA drivers license. If she got one in the last couple of days, that doesn't change the fact that she resided in NM and that all of them committed perjury. If anything, getting a PA drivers license now is yet another attempt to obstruct justice.

As I have said before, I don't get intimidated by either Obama or by Berg. One cannot file a fraudulent and malicious legal action against me and expect to shut me up and make me stop reporting on illegal and criminal activity. All that these people are doing, is adding counts of fraud, perjury and obstruction of justice. The only thing Berg can do, is come clean, disassociate himself from Lisa Liberi, who has a record of forgery and he needs to hire a forensic document examiner to check all the records handled by Lisa Liberi. We cannot win in court with forged records. This information was already on the blogs before I got it and it will be on the blogs, his continuing denial of clear evidence has no merit and undermines everybody in the resistance movement, everybody who wants to get to the truth. The only way to win, is by clean evidence, unsealing the vital records and letting the Supreme Court decide the issue of the Natural Born Citizen.

> From: nsankey@thesankeyfirm.com
> To: lisaostella@hotmail.com
> Subject: RE: HELLO ??? (again)

> Date: Sun, 15 Mar 2009 17:02:00 -0700
>
> Indeed it would. If you would pass this on to Dr.O, I will go out to San Bdo
> this week and have a look at the 2002 file, dontcha think?
> N
>
> —Original Message—
> From: Lisa Ostella [mailto:lisaostella@hotmail.com]
> Sent: Sunday, March 15, 2009 4:49 PM
> To: Neil Sanky
> Subject: RE: HELLO ??? (again)
>
> Hmm, if the forged documents actually came out of Phil Berg's office, well,
> filing lawsuits would be an excellent cover, huh?
>
> Factcheck is in Pennsylvania.
>
> As is Phil Berg.
>
>
> Lisa Ostella
> Defend Our Freedoms Foundation
> <http://defendourfreedoms.org> <<http://defendourfreedoms.org>>
> Peace through Strength
> <http://www.barofintegrity.com> <<http://www.barofintegrity.com>>
>
>
>
>
>
>
>
>
>
> > From: nsankey@thesankeyfirm.com
> > To: lisaostella@hotmail.com
> > Subject: RE: HELLO ??? (again)
> > Date: Sun, 15 Mar 2009 16:35:46 -0700
>>
>> Yes but a SEAL !!, and HOW MANY aliases?
>>
>> —Original Message—
>> From: Lisa Ostella [mailto:lisaostella@hotmail.com]
>> Sent: Sunday, March 15, 2009 3:46 PM
>> To: Neil Sanky
>> Subject: RE: HELLO ??? (again)
>>

>> Insight, such as, Lisa Liberi (Phil Berg's assistant) really being Lisa
>> Richards, with a police record for ID theft? 😊
>>
>> Mighty convenient talent to have when there are multiple identities flying
>> around.
>>
>> I've not researched that insight yet. I didn't have a warm and fuzzy
>> interaction with (redacted name of volunteer) So I don't know if this is planted info
droppings
>> or not.
>>
>>
>> Lisa Ostella
>> Defend Our Freedoms Foundation
>> <http://defendourfreedoms.org> <<http://defendourfreedoms.org>>
>> Peace through Strength
>> <http://www.barofintegrity.com> <<http://www.barofintegrity.com>>
>>

This entry was posted on Sunday, May 31st, 2009 at 2:19 pm and is filed under [Uncategorized](#). You can follow any responses to this entry through the [RSS 2.0](#) feed. You can [leave a response](#), or [trackback](#) from your own site.

Dr. Orly Taitz Esquire is proudly powered by [WordPress](#)
[Entries \(RSS\)](#) and [Comments \(RSS\)](#).

19. The above emails are altered and forged emails as broken down in
EXHIBIT “1”. I did not authorize any party to alter, fabricate, draft or send out
emails using my email address, name and/or Company name.

20. I have also reported the crimes of Conspiracy to Commit a Felony and
Forgery to Detective Cano with the North Brunswick Police Department as a
result of Defendant's Neil Sankey and Orly Taitz criminal activities.

I declare under the penalty of Perjury of the laws of the United States that the foregoing is true and correct. Executed this 8th day of June, 2009.

s/ Lisa Ostella

LISA OSTELLA, Plaintiff

EXHIBIT “1”

Dr. Orly Taitz Esquire

<http://www.orlytaitzesq.com/blog1/?p=1843>

Defend Our Freedoms Foundation 26302 La Paz ste 211, Mission Viejo CA 92691 Copyright 2009

[« From reader Bob S. Did anyone see Hank Paulson coming out of his house lately?
Re Keyes v Obama »](#)

**I am trying to stay away from Liberi-Berg issue,
but i got more questions and here is more info.**

I was asked by a number of people to explain why the name of Lisa Ostella is on the dossier #4.

When I was in Washington DC, I did not have an access to the Internet, as I was visiting the Director of the Selective Service William Chatfield and offices of several senators and was on the phone with the assistant and legal counsel for Admiral Malin. A lot of people asked me for an update and I called Lisa Ostella, the web master ,and asked her to post it on the Internet. As you can see, the fact that she signed DefendOurFreedomsFoundations, and she put her name as an assistant to me, clearly shows that she knew it is my foundation, under my name and she could sign as an assistant only as long as she was helping me. The moment I transferred to another webmaster, she had and has no right to advertise on behalf of the DefendOurFreedoms foundation, solicit donations and pocket the money.

You can also see (in the attachment) that she was the one that contacted the private investigator Mr. Sankey, and provided him the information that Lisa Liberi , assistant to Phil Berg, has a criminal record. Based on her report Mr. Sankey has investigated and confirmed this information, that indeed Lisa Liberi has this lengthy record of forgery of documents and forgery of an official seal and grand theft. Lisa Ostella changed her tune only after this

whole issue with pay-pal came out. At first she and the rest of the plaintiffs came out with an outrageous lie that my husband was spying on people. Now they dismissed their law suit against my husband- and everybody knows that it was a manufactured charge.

As you can see, she was well aware about Liberi's criminal record, as was Berg and Liberi herself. Their legal action is nothing but perjury and an attempted obstruction of justice. I have written in the pleadings that the only address that Liberi provided, was Berg's office address and the reason is that she indeed resides in NM and is the Lisa Liberi with the criminal record. I received an e-mail recently that in the last couple of days Lisa Liberi has gotten a PA drivers license. If she got one in the last couple of days, that doesn't change the fact that she resided in NM and that all of them committed perjury. If anything, getting a PA drivers license now is yet another attempt to obstruct justice.

As I have said before, I don't get intimidated by either Obama or by Berg. One cannot file a fraudulent and malicious legal action against me and expect to shut me up and make me stop reporting on illegal and criminal activity. All that these people are doing, is adding counts of fraud, perjury and obstruction of justice. The only thing Berg can do, is come clean, disassociate himself from Lisa Liberi, who has a record of forgery and he needs to hire a forensic document examiner to check all the records handled by Lisa Liberi. We cannot win in court with forged records. This information was already on the blogs before I got it and it will be on the blogs, his continuing denial of clear evidence has no merit and undermines everybody in the resistance movement, everybody who wants to get to the truth. The only way to win, is by clean evidence, unsealing the vital records and letting the Supreme Court decide the issue of the Natural Born Citizen.

**FORGED AND ALTERED EMAIL placed on Orly Taitz's website
at <http://www.orlytaitzesq.com/blog1/?p=1843> BY Orly Taitz**

**ORIGINAL CORRECT UN-ALTERED EMAIL WHICH
WAS SENT AND RECEIVED:**

NUMBER 1:

> From: nsankey@thesankeyfirm.com
 > To: lisaostell@hotmail.com
 > Subject: RE: HELLO ??? (again)
 > Date: Sun, 15 Mar 2009 17:02:00 -0700
 >
 > Indeed it would. If you would pass this on to Dr.O, I will go out to San Bdo
 > this week and have a look at the 2002 file, dontcha think?
 >
 > N
 >

NUMBER 1:

> From: nsankey@thesankeyfirm.com
 > To: lisaostell@hotmail.com
 > Subject: RE: HELLO ??? (again)
 > Date: Sun, 15 Mar 2009 17:02:00 -0700
 >
 > If you would pass this on to Dr.O, I will go out to San Bdo
 > this
 > N
 >

NUMBER 2:

> —Original Message—
 > From: Lisa Ostella [mailto:lisaostell@hotmail.com]
 > Sent: Sunday, March 15, 2009 4:49 PM
 > To: Neil Sank
 > Subject: RE: HELLO ??? (again)
 >
 > Hmm, if the forged documents actually came out of Phil Berg's office, well,
 > filing lawsuits would be an excellent cover, huh?
 > or not.
 > Factcheck is in Pennsylvania.
 >
 > As is Phil Berg.
 >
 >
 > Lisa Ostella
 > Defend Our Freedoms Foundation
 > [<http://defendourfreedoms.org/>](http://defendourfreedoms.org)
 > Peace through Strength
 > [<http://www.barofintegrity.com/>](http://www.barofintegrity.com)
 >

NUMBER 3:

>> From: nsankey@thesankeyfirm.com
 >> To: lisaostellala@hotmail.com
 >> Subject: RE: HELLO ??? (again)
 >> Date: Sun, 15 Mar 2009 16:35:46 -0700
 >>
 >> Yes but a SEAL !!, and HOW MANY aliases?
 >>

NUMBER 4:

>> -----Original Message-----
 >> From: Lisa Ostella [mailto:lisaostellala@hotmail.com]
 >> Sent: Sunday, March 15, 2009 3:46 PM
 >> To: Neil Sanku
 >> Subject: RE: HELLO ??? (again)
 >>
 >> Insight, such as, Lisa Liberi (Phil Berg's assistant) really being Lisa
 >> Richards, with a police record for ID theft? 
 >>
 >> Mighty convenient talent to have when there are multiple identities flying
 >> around.
 >>
 >> I've not researched that insight yet. I didn't have a warm and fuzzy
 >> interaction with (redacted name of volunteer)So I don't know if this is planted info
 >> droppings
 >> or not.
 >>
 >> Lisa Ostella
 >>
 >> Peace through Strength
 >> <http://www.barofintegrity.com> <<http://www.barofintegrity.com>>
 >>
 >> Peace through Strength
 >> <http://www.barofintegrity.com> <<http://www.barofintegrity.com>>
 >>
 >> -----Original Message-----
 >> From: Lisa Ostella [mailto:lisaostellala@hotmail.com]
 >> Sent: Sunday, March 15, 2009 3:46 PM
 >> To: Neil Sanku
 >> Subject: RE: HELLO ??? (again)
 >>
 >> I've not researched that insight yet. I didn't have a warm and fuzzy
 >> interaction with Sarah. So I don't know if this is planted info droppings
 >> or not.
 >>
 >> Lisa Ostella
 >>
 >> Defend Our Freedoms Foundation
 >> Defend Our Freedoms Foundation
 >> <http://defendourfreedoms.org> <<http://defendourfreedoms.org>>
 >> <http://defendourfreedoms.org> <<http://defendourfreedoms.org>>
 >> Peace through Strength
 >> <http://www.barofintegrity.com> <<http://www.barofintegrity.com>>

This entry was posted on Sunday, May 31st, 2009 at 2:19 pm and is filed under Uncategorized. You can follow any responses to this entry through the RSS 2.0 feed. You can leave a response, or trackback from your own site.

Dr. Orly Taitz Esquire is proudly powered by WordPress
Entries (RSS) and Comments (RSS).

*** Note on Number 4: The smiley in the forged email bears the exact same smiley face used by Orly Taitz on her website at
<http://www.orlytaitzesq.com/blog1/?p=1445>

*** NOTE - NEIL SANKEY WITH THE SANKEY FIRM WAS ON PLAINS RADIO, www.plainsradio.com ON MAY 28, 2009 WHERE HE STATED: *I RECEIVED AN EMAIL FROM LISA OSTELLA STATING LISA LIBERI (PHIL BERG'S ASSISTANT) WAS REALLY LISA RICHARDS WITH A POLICE RECORD FOR IDENTIFICATION THEFT.*

EXHIBIT “B”

<http://www.orlytaitzesq.com/blog1/?p=2113>

Dr. Orly Taitz Esquire

Defend Our Freedoms Foundation 26302 La Paz ste 211, Mission Viejo CA 92691 Copyright 2009

« [Update MO](#)
[Update in CA- Keyes et al v Obama et al](#) »

Please call the Central district court in CA, the clerk has to issue a default today. He has been dragging his feet since the 06.02.09.

06/02/2009	10	Amendment to First REQUEST for Clerk to Enter Default against defendant Barack H Obama 7 filed by Plaintiff Alan Keyes PhD. (Attachments: # 1 Affidavit Amended affidavit of the process server)(Taitz, Orly) (Entered: 06/02/2009)
------------	--------------------	---

PACER Service Center			
Transaction Receipt			
06/09/2009 12:47:15			
PACER Login:	ot0363	Client Code:	
Description:	Docket Report	Search Criteria:	8:09-cv-00082-DOC-AN End date: 6/9/2009
Billable Pages:	2	Cost:	0.16

I am afraid that they are dragging their feet until the 06.12.09 and they will dismiss then. Please call and ask that they do their job and post the default against Obama. It is all machines, I can't reach one single live person there.

This entry was posted on Tuesday, June 9th, 2009 at 4:21 pm and is filed under [Uncategorized](#). You can follow any responses to this entry through the [RSS 2.0](#) feed. You can [leave a response](#), or [trackback](#) from your own site.

<http://www.orlytaitzesq.com/blog1/?p=2138>

Dr. Orly Taitz Esquire

Defend Our Freedoms Foundation 26302 La Paz ste 211, Mission Viejo CA 92691 Copyright 2009

« [With Obama's spending US will resemble the Weimar republic at best and Zimbabwe at worst](#)
[Next Post »](#)

Update Keyes et al v Obama et al. They corrected the clerical error and now it shows that Obama was supposed to answer on April 11.

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

NOTE TO PUBLIC ACCESS USERS Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

Notice of Electronic Filing

The following transaction was entered on 6/10/2009 at 9:38 AM PDT and filed on 6/10/2009

Case Name: Keyes et al v. Obama et al

Case Number: 8:09-cv-82

Filer:

Document Number: 11

Docket Text:

NOTICE OF CLERICAL ERROR: Due to clerical error the following docket entry has been corrected as indicated below: The proof of service filed 5/18/09 answer due deadline should be 4/11/09. Re: Service of Summons and Complaint Returned Executed (60 days)[5] (twdb)

8:09-cv-82 Notice has been electronically mailed to:

Orly Taitz dr_taitz@yahoo.com

This entry was posted on Wednesday, June 10th, 2009 at 3:47 pm and is filed under [Uncategorized](#). You can follow any responses to this entry through the [RSS 2.0](#) feed. You can [leave a response](#), or [trackback](#) from your own site.

EXHIBIT “C”

<http://www.orlytaitzesq.com/blog1/?p=729>

Dr. Orly Taitz Esquire

Defend Our Freedoms Foundation 26302 La Paz ste 211, Mission Viejo CA 92691
Copyright 2009

« Extremely important
From writer and reader martin Pinsky part 4 »

**This is a part of Dossier #1. A number of people asked
to publish it**

Dr. Orly Taitz, ESQ
26302 La Paz, suite 211
Mission Viejo, CA 92691
Phone 949-683-5411
Fax 949-586-2082
Dr_taitz@yahoo.com
OrlyTaitzESQ.com

04.27.09.

Via Certified Mail, Return receipt
Attn. Rebecca A. Gregory
US Attorney for the Eastern District of Texas
350 Magnolia Ave., suite 150
Beaumont TX 77701
Open Letter
Criminal complaint, demand for investigation and prosecution

Dear Ms. Gregory,

My name is Dr. Orly Taitz, ESQ and I represent a large group of plaintiffs (see names attached), seeking verification of Mr. Obama's eligibility for presidency and investigating reported criminal activities perpetrated by Mr. Obama, which include reported forgery of documents, fraud, perjury, suspected social security fraud and identity theft. Please see attached Dossiers with supporting affidavits of Forensic Document Examiner and Licensed investigators. As a number of my plaintiffs reside in the state of Texas, I alerted Beaumont police officer Ronald Dischler to this matter and he has provided a written response, assuring me and my clients that proper criminal investigation will be performed, as criminal offices are in purview of local police departments and Mr. Obama a.k.a. Barry Soetoro not only put his name on the ballot in your district, but also personally campaigned in the state of Texas, city of Beaumont, claiming to be a legitimate candidate. This issue is significant, since statute 338 of the state of Hawaii allows **foreign born** children of Hawaiian residents to get Hawaiian birth certificates and those can be obtained **based on a statement of one relative only** without any

corroborative evidence. Dr. Fukino, director of the health department in Hawaii has released a statement, that Hawaii has a document on file according to their regulations, however she refused to provide any clarification whether it is a birth certificate for a foreign born child of Hawaiian resident, or whether it is a birth certificate obtained based on a statement of one relative, such as grandmother or a grandfather. Obama refused to release his original birth certificate, currently sealed in the state of Hawaii and there is a statement from Forensic document examiner Dr. Sandra Ramsey Lines, that the image Mr. Obama has posted on the internet cannot be relied upon as genuine.

Today, on April 27, 2009, an article by Ms. Jennifer Johnson was published in Beaumont Observer. (see attached). Beaumont Police Chief Frank Coffin stated to Ms. Johnson, that he told Officer Dischler not to investigate Obama and, which is even more outrageous; he harassed and intimidated officer Dischler by threatening to investigate the officer.

When is forgery ever a political matter? Mr. Obama is not above the law and not above the Constitution of the United States. He became a candidate on the ballot in each and every state and locality of the United States and availed himself to jurisdiction, investigation and prosecution for crimes committed in relation to his ascertainment of eligibility for presidency based on the laws of the United States, constitution and laws of individual states.

Based on the above I demand immediate investigation and prosecution of Mr. Obama on charges of suspected fraud, perjury, forgery, identity theft and social security fraud and investigation and prosecution of Chief of Beaumont Police Frank Coffin for violating the constitutional rights of the citizens of Texas under color of authority.

Sincerely,

Dr. Orly Taitz, ESQ
Cc Governor of Texas Rick Perry
Senator Kay Bailey Hutchinson
Senator John Cornin
Attorney General of Texas
Congressman Ron Paul
Congressman Burges

Plaintiffs,

Lt. Scott Easterling, in his capacity as a US army officer, Resident of Tennessee, currently stationed in Iraq
Active Duty Alan C. James, resident of North Carolina, currently stationed in Iraq
Active Duty Specialist Jason James Freese, resident of Alaska
Active National Guardsman Matthew Michael Edwards, resident of Wyoming
Active duty SPC Charles Crusemire, Resident of Pennsylvania, resident of Pennsylvania, currently in Iraq
Active duty Captain Robin D. Biron, resident of Arizona, bronze star recipient in Iraq
Drilling Reservist scheduled for deployment Lita M. Lott, resident of California
Active military James N. Glunt, resident of Pennsylvania

Citadel staff sergeant Timothy W. Kenney, US Marine Corp veteran, Virginia Army National Guard

Ms. Sarah Mari Chermak, not a legal entity under US Corporation.

Ambassador Dr. Alan Keyes, in his capacity of a Presidential candidate on the Ballot in 2008 Presidential Election. Mr. Keyes requests for Mr. Obama's records were denied in Hawaii, Mississippi and California.

Ms. Gail Lightfoot, in her capacity of a vice presidential candidate for Ron Paul on the Ballot in CA in the presidential election. Ms. Lightfoot petition was denied by the Supreme Court of California.

Mr. Robert Cusanelli, in his capacity as an Elector of the 2008 electoral college from the state of Alabama

Mr. Eric Swafford, in his capacity of the State representative from the State of Tennessee
Mr. Timothy Jones, ESQ, in his capacity of a State Representative from the state of Missouri

Mr. Timothy Comerford, in his capacity of a State Representative from the State of New Hampshire

Mr. Frank Niceley in his capacity of the state representative from the state of Tennessee

Ms. Cynthia Davis, in her capacity of a State representative from the State of Missouri

Mr. Larry Rappaport in his capacity of a State Representative from the State of New Hampshire,

Mr. Stacey Campfield in his capacity of a State representative from the state of Tennessee

Mr. Casey Guernsey in his capacity of a State Representative from the state of Missouri

Mr. Glen Casada, in his capacity of a State Representative from the state of Tennessee

Major General Carrol Dean Childers, Ret. Lifetime subject to recall, resident of Virginia

Colonel Harry Riley, Ret. Lifetime subject to recall, Silver star recipient, resident of Florida

Colonel John D. Blair, US Army, Ret, lifetime subject to recall, resident of Florida

LCDR Jeff Graham Winthrope, US Nav, Ret. Lifetime subject to recall, resident of Texas

Lt. Col Dr. David Earl Graef, Active Reserves, resident of Virginia

Commander Charles Maxwell, US Navy, recipient of 4 gold stars, Ret., lifetime subject to recall, resident of New York

Lieutenant Colonel Donald Sullivan, resident of North Carolina

Lieutenant Colonel John David Klein, US Airforce, subject to recall, resident of Kentucky

Commander David Fullmer LaRocque, US Navy reserves, Ret, subject to recall, resident of California

Lieutenant Colonel Charles L. Miller, Ret US Air Force, lifetime subject to recall, resident of Ohio

Lieutenant Colonel Richard Norton Bauerbach, US Air Force, Inactive Reserve, silver star recipient, resident of Arizona

LTC Chetwin M. Hurd, Ret, resident of Texas

Lieutenant Commander John Bruce Steidel, US Navy reserves, resident of Washington

Lieutenant Colonel John P. Petersen, Active Reserves, Resident of Colorado

Chief Major Tony W. A. Donnelly Army National Guard, resident of Virginia

Major Stephan F. Cook, EN US Army

Major Paulette M. Klein, Ret. US Air Force, subject to recall, resident of Kentucky

Major Bradley Charles Franklin, Ret, life time subject to recall USAF, resident of Illinois
Major Robert W. Fry, Ret. Lifetime subject to recall US Army veteran, resident of Washington
Major James Cannon, US Marine Corps, ret., resident of New Mexico
Judge Advocate for the charter of American Legion, Jack Cannon, Ret., resident of New Mexico
Major David Grant Mosby, Ret US Air Force, resident of Washington
Major Art Scheffer, , US Air Force, Ret., subject to recall resident of Louisiana
Captain Edward Adams Ret, GA National Guard, resident of Georgia
Captain Pamela Barnett, Commander, training officer on temporary medical disability
Captain Neil B. Turner US Army Aviation, Ret. Subject to recall, resident of California
Captain Harry G. Butler, US Navy Seal
Captain Larry A Shewmaker, US Air Force Ret., resident of South Carolina
Captain Ralph H. Jenkins, Ret US Marine Corps, resident of Texas
Airline Captain and Naval Officer D. Andrew Johnson, Ret. Lifetime subject to recall resident of California
Officer Clint Grimes, Long Beach California Police Department and Navy active Reserve
Lieutenant Will Harper, US Navy reserve, resident of Virginia
First Lieutenant Renee A. Kania, resident of Ohio
Pilot Dana Eugene Latta, ret., resident of North Carolina
SMSGT Gary M. Morris, bronze star recipient, Ret., resident of Florida
Sergeant Jeffrey Wayne Rosner, Hon Dis., resident of Texas
SFC Susan K Irwin, US Army reserve, resident of Indiana
Aircraft Pneudraulics Specialist Thomas J Taylor, US Air force resident of California
Specialist Jennifer Leah Clark US Army Reserve, resident of Illinois
SFC E7 Robert Lee Perry, US Army, Ret, resident of Iowa
Mr. Frank Adelman, Ret military
SFC Lowell K Doherty, US army, resident of Florida
Sargeant First class Morgan Samuel Ward, US army recruiter, resident of Texas
PFC Jean S. Charles, resident of Vermont
Corporal Gary Stuart Cox, US Marine Cop, Virginia National Guard, Ret., Retired State Trooper, resident of Virginia
First Sergeant William Shires , Ret US Army
Chief Warrant Officer Thomas S. Davidson, Ret., lifetime subject to recall, resident of Arizona
E8 Senior Chief Journalist, Richard E. Venable, US Navy, resident of California
E7 Paralegal, MSGT USAF Steven Kay Neuenschwander, ret., resident of Washington
E6 James Randolph Reid Lapp, US Navy Cryptologist, Inactive Reserve, resident of Virginia
E6 Ronald Whaley, US Navy Veteran, residing in Georgia
E6 Mark Francis Rayome, US Navy Seabees, resident of Colorado
E6 Ronald Durward Howell, Air Traffic controller, resident of Tennessee
CW4 David Robert, Black Hawk Helicopter pilot,Ret., resident of Mississippi
Sp4-E4 Richard M. Keefner, honorably dischataloged US Army, resident of Illinois
E4 Thomas R. Knight US Navy Reserves
Sp4 US Army Artur J. Olszczewski, retired, resident of Pennsylvania

E4 Larry W. Highlen, resident of Indiana
E3 Jim Szakmary, US Marine Corp, Federal Employee, resident of New York
E2 Wayne Eugene Keller, Ret., resident of Pennsylvania
Mr. Donn P. Hornberger, resident of Minnesota
Mr. Robert David Riley, US military Ret., resident of Georgia
Mr. Jeffrey Schwilk, US military ret., resident of California
SGT USAF E4. Danney L. Lawler US Air Force veteran, currently international law student in Manila, Philippines
Mr. David L. Bosley US Air Force veteran, resident of California
Ms. Loretta G. Bosley US Air Force veteran, resident of California
Mr. Kurt C. Fuqua, resident of Illinois, father of an active military serviceman and blood relative of Mr. Obama. Mr. Fuqua's petition for Mr. Obama's records was denied in the State of Hawaii and Mr. Fuqua was told to wait for a year for the records.
Ms. Julliett Ireland, resident of California and a mother of an active US military serviceman.
Ms. Jody Brockhausen, resident of Texas. Ms. Brockhausen's petition was denied in the state of Texas.
Ms. Carol Greenberg, resident of Ohio. Ms. Greenberg's [petition was denied in Ohio.

<http://www.orlytaitzesq.com/blog1/?p=450>

Dr. Orly Taitz Esquire

Defend Our Freedoms Foundation 26302 La Paz ste 211, Mission Viejo CA 92691
Copyright 2009

« Obama's Policies are Endangering and Destroying the State of Israel
I need volunteers in TX for follow up with the US attorney for the Eastern District of TX,
Rebecca Gregory »

Arlen Specter is an embarrassment to himself, to

Arlen Specter is an embarrassment. He is an embarrassment to the conservative movement and to the Jewish people around the World. He embarrassed himself and his own conservative record. He embarrassed his state and his party. At a time when Obama is handing to Hamas 900 million dollars, which will most certainly go to build more Kassam rockets and attack the state of Israel, he (and everybody else who is Jewish and collaborating with Obama), has betrayed his faith, has embarrassed Jewish people around the world and particularly Jewish people in the state of Israel.

May his name go down in history as a turncoat, may Arlen Specter be known as a Benedict Arnold of the second American Revolution.

If you are a citizen of Pennsylvania and would like to run a recall campaign, please call me 949-683-5411. Any citizens of Pennsylvania, who would like to recall Arlen-Arnold, please put your name and contact info, so we can run a recall thread.

If you have given a donation to Arlen-Arnold campaign, believing his false representation, that he will be a Republican senator, and you would like to get your money back, please let me know.

Orly

Tags: [birth certificate](#), [obama](#)

This entry was posted on Tuesday, April 28th, 2009 at 7:41 pm and is filed under [HOT ITEMS!](#), [Uncategorized](#). You can follow any responses to this entry through the [RSS 2.0](#) feed. Both comments and pings are currently closed.

7 Responses to “Arlen Specter is an embarrassment to himself, to”

1. <http://BuenaVistaMall.com> says:

April 28, 2009 at 8:15 pm

Specter is also a War Criminal. He voted to invade Iraq and fund the Wars. He is a conspirator in Wars of Aggression - the worst crimes in the world. He conspired and waged Wars of Aggression. He is a Warmonger just like Hitler.

2. *Natural Born Citizen* says:

April 28, 2009 at 9:19 pm

Specter is also the young lawyer who came up with the idea that 1 bullet changed course 4 or six times so as to produce all those wounds in president Kennedy. After that theory, which was used by the Warren Commission to rule out another shooter, his political career skyrocketed....

3. *FedUp* says:

April 29, 2009 at 8:54 am

I WANT TO RECALL SPECTER. I voted for him and now he needs to go!!! Let me know what we need to do to get him OUT!

Law Offices of:
Philip J. Berg, Esquire
555 Andorra Glen Court, Suite 12
Lafayette Hill, PA 19444-2531
Identification No. 09867
(610) 825-3134

Attorney for Plaintiffs

**UNITED STATES DISTRICT COURT,
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LISA LIBERI, et al,

Plaintiffs,

vs.

Case No.: 09-cv-01898-ECR

ORLY TAITZ, et al,

Defendants.

CERTIFICATE OF SERVICE

I, Philip J. Berg, Esquire, hereby certify that a copy of Plaintiffs' Response in Opposition to Defendant's, Orly Taitz, et al and Defend our Freedoms Foundation, Inc., Motions to Dismiss, Docket entry numbers 35 and 53 were served this 11th day of June 2009 electronically upon the following:

Orly Taitz, et al.
31912 Monarch Crest
Laguna Niguel, CA 92677
Email: dr_taitz@yahoo.com

Defend our Freedoms Foundation, Inc.
26302 La Paz, Suite 211
Mission Viejo, CA 92691
Email: dr_taitz@yahoo.com

s/Philip J. Berg

PHILIP J. BERG, ESQUIRE
Attorney for Plaintiffs'